

SOUTHERN DISTRICT OF NEW YORK

Securities and Exchange Commission vs. Samuel H. Sloan & Co, Samuel H. Sloan
71 Civ 2695

2023 MAY 10 PM 1:22

Renewed Motion to Dismiss

1. This case was filed in 1971 and has been before the courts in various branches for more than 51 years. I filed a motion to dismiss more than 30 years ago. I have never received a reply from the SEC. I have found that Sheldon Kanoff who was the only witness for the SEC is deceased and Kevin Thomas Duffy who represented the SEC is also dead. This case should be dismissed because it is apparent that the SEC is going to take no action. I even made a Freedom of Information Act request and learned that the five commissioners of the Securities and Exchange Commission had denied the request by the staff to file this case so this case had been filed illegally without their permission.
2. I worked for more than two years in the over-the-counter trading department of Hayden Stone, a leading stock brokerage firm that was later taken over by American Express. After Hayden, Stone was closed, I started my own firm Samuel H. Sloan & Co.
3. At that time the leading over-the-counter firms were Troster Singer, Singer & Mackie, GA Saxton and New York Hansiatic. All of them published bid and ask quotations for over the counter securities in the daily pink sheets published by the National Quotation Bureau. There were also about two hundred other, smaller market making firms.
4. The pink sheets were so-called because they were published on the cheapest kind of pink paper.
5. I have never had any public customers. From time to time an SEC investigator would come to my office and ask to see my customer accounts. When I told him I did not have any customers or customer accounts, he left immediately.
6. A man named Joe Iny from Iraq whom I had met at the Backgamon Club was obsessed with fear that he would be investigated by the Internal Revenue Service. He believed that if he testified on behalf of the SEC they would reward him by letting him off the hook with the IRS. Of course, I knew that even the President of the United States must file and pay his income taxes. My father, Leroy Bayfield Sloan who was a Special Agent with the IRS was always complaining that US Senator Harry Byrd filed with the IRS as a self-employed apple farmer because he owned apple orchards in Northern Virginia and got away with it.
7. When SEC attorney William Nortman said they would be moving against me for a permanent injunction, Judge McLean replied there is no such thing as a permanent injunction as nothing is permanent.
8. Judge Robert J Ward heard a case against me at 369 F. Supp 996 but did not enter any order or conclude the case.
9. Then I won the next case against the SEC as SEC vs Samuel H, Sloan, 436 US 103 (1978)
10. My background can be seen at https://en.wikipedia.org/wiki/Sam_Sloan
11. "When Mr. Sloan Went to Washington". *The New Republic*. ISSN0028-6583. Archived from the original on July 15, 2020. Retrieved 2020-09-11.
12. The result is the only order against me is the 1971 preliminary injunction to which I consented. The SEC should not be allowed to leave this case hanging like a Sword of Damocles over my head for another 70 years. Thus, this case should be dismissed.

Samuel H. Sloan
 Samuel H. Sloan

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Apr 13

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MEMO ENDORSED: This Court granted Defendant Sloan's motion to vacate the injunction against him and closed this case on March 31, 2023. Accordingly, Defendant's May 10, 2023 letter request is moot. The Clerk of Court is directed to mail a copy of this order and this Court's March 31, 2023 order (Dkt. No. 7) to the pro se Defendant.

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe". The signature is written in a cursive, flowing style. The first name "Paul" is written in a larger, more prominent script, followed by "G." and "Gardephe". The signature is positioned above a horizontal line.

Paul G. Gardephe
United States District Judge
May 15, 2023